

REMARKS

Applicants and Applicants' representative wish to thank Supervisory Patent Examiner Metjahic and Examiner Nguyen for the assistance extended during the personal interview held on June 10, 2003. In view of the discussion during the interview and the following remarks, reconsideration and allowance of the claims is respectfully requested.

Claims 1-21, 24, 25, and 28-32 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Wical et al. (U.S. 5,940,821). This response first addresses the § 102(e) rejection of claims 1-13, 21, and 24, and then the § 102(e) rejection of claims 14-20, 25, and 28-32.

Claims 1-13, 21, and 24

Applicants respectfully traverse the § 102(e) rejection of claims 1-13, 21, and 24.

Claims 1 and 21 recite, a method (claim 1) and a computer program (claim 21) for performing a category search to identify categories of items that relate to a search term that includes, inter alia, receiving at least one search term, comparing the search term with a hierarchy of category identifiers to determine whether matches exist, comparing the search term with terms related to one or more categories to determine whether matches exist, and displaying at least a category identifier based on the matches that are determined to exist.

Applicants request withdrawal and reconsideration of the rejection because Wical fails to describe or suggest a method/program for performing a category search that performs the recited two comparisons to identify matches of the search term, specifically, one comparison against a hierarchy of category identifiers and another comparison against terms related to one or more categories to determine whether matches exist.

Instead, and most importantly, Wical discloses a search and retrieval system that "utilizes a classification system, but does not require matching words of the search query with words in the name strings of the categories." Wical, col. 2, lines 36-40 (emphasis added). In fact, through this statement, Wical clearly teaches away from matching against a hierarchy of category identifiers. Moreover, the system that is disclosed in Wical is fundamentally different than the features recited in claims 1 and 21. In Wical, words of the search query are not matched with a

hierarchy of category identifiers and the words of the search query are not matched with terms related to one or more categories.

For at least these reasons, Applicants respectfully request the withdrawal of the § 102(e) rejection of claims 1 and 21, and claims 2-13 and 24 dependent therefrom.

Claims 14-20, 25, and 28-32

Applicants respectfully traverse the § 102(e) rejection of claims 14-20, 25, and 28-32.

Claims 14 and 25 recite a method (claim 14) and a computer program (claim 25) for performing a search that includes, inter alia, comparing the search term with a list of recommended items to determine whether matches exist and comparing the search term with previously performed searches to determine whether matches exist.

Applicants request withdrawal and reconsideration of the rejection because Wical does not disclose or suggest these features. Wical is not relied upon in the Office Action to support a showing of these features, as acknowledged by the Examiners during the in-person interview. (See enclosed copy).

For at least these reasons, Applicants respectfully request the withdrawal of the § 102(e) rejection of claims 14 and 25, and claims 15-20 and 28-32 dependent therefrom.

Claims 22, 23, 26, and 27

Claims 22, 23, 26, and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wical in view of Tso (U.S. 6,385,602). Claims 22, 23, 26, and 27 depend from independent claims 21 and 25. For at least the reasons discussed above with respect to claims 21 and 25, Wical fails to describe or suggest the features of claims 21 and 25. Tso is not relied upon in the Office Action nor can it properly be said to remedy the above-noted Wical shortcomings (teaching away from matching against a hierarchy of category identifiers). Thus, the combination of Wical and Tso fails to describe or suggest the claims 21 and 25 features, or the features of claims 22, 23, 26, and 27 dependent therefrom. Moreover, in view of the respective dependence upon claims 21 and 25, Applicants respectfully request withdrawal of the § 103(a) rejection of claims 22, 23, 26, and 27.